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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,925	02/20/2002	Steve Johnson	Q68245	6312

7590 08/23/2006

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EXAMINER

SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/077,925

Applicant(s)

JOHNSON ET AL.

Examiner

Steven P. Sax

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-103 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-103 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been examined. The Terminal Disclaimer filed 4/05 has been entered.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-22, 32-42, 43-64, 74-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blonstein et al (6016144) in view of Southgate (5880725).

4. Regarding claims 1-3, see Blonstein et al: the abstract, Figure 8, Figure 9, column 2 lines 45-68, column 3 lines 1-51, column 7 lines 1-47, column 11 lines 35-68, column 12, column 13 lines 1-50. Note the ability to expose windows underlying a primary window which contain additional information (Figures 8-9, column 2 lines 45-68, column 3 lines 10-48, column 11 lines 35-68). A window is exposed by minimizing or sliding the primary display window (column 7 lines 1-47, column 12 – column 13 lines 1-20). The part furthest from the direction of sliding is exposed first (column 13 lines 25-

50, column 12). Blonstein et al do not go into the specific details of how the windows are slided, but do mention sliding and manipulating windows to more effectively see underlying windows with additional information. Furthermore, see Southgate: the abstract, Figure 8, Figures 15 A-C, 16 A-B, column 3 lines 30-55, column 6 lines 45-68, column 7 lines 12-58, column 8 lines 9-60, column 13 lines 55-68, column 15 lines 1-20. These show different sliding features including moving boundaries between tiled windows. This is done to more effectively see additional information. It would have been obvious to a person with ordinary skill in the art to include various sliding abilities in Blonstein et al, as a convenient way to more effectively see additional information.

5. Regarding claims 4-7, in Blonstein et al the primary display and additional information include broadcast information (column 12). The primary display is a computer generated graphic display (inherent, column 3 lines 20-32).

6. Regarding claims 8-11, Southgate shows various sliding and rolling abilities in response to user input and second input. These include vertical and horizontal rolling (column 3 lines 30-55, column 6 lines 45-68, column 7 lines 12-58). Even in Blonstein et al, user commands may control the sliding. Upon user input the window with additional information is erased and the primary display is returned. It would have been obvious to a person with ordinary skill in the art to include various rolling abilities in Blonstein et al, as a convenient way to more effectively see additional information.

7. Regarding claims 12-22, in addition to the aforementioned, the primary display is rolled up in Southgate (column 8 lines 9-60, column 13 lines 55-68, column 15 lines 1-20). It would have been obvious to a person with ordinary skill in the art to include this in Blonstein et al, as a convenient way to more effectively contain and later see additional information.

8. Regarding claims 32-42, in addition to the aforementioned, note again the moving boundaries in Southgate and how this gives the appearance of one window pushing the other (column 3 lines 30-55, column 6 lines 45-68, column 7 lines 12-58).

7. Regarding claims 43-64 and 74-84, and 85-103, these show the same features as above and are rejected for the same reasons.

8. Claims 23-31 and 65-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blonstein et al (6016144) in view of Jaaskelainen, Jr. (6002397).

9. Regarding claims 23-31 and 65-73, in addition to the aforementioned, Blonstein et al do not show the disintegration of portions of the primary display, but do show removing portions of the primary display (by sliding, minimizing, etc.) in order to expose underlying windows. Furthermore, see Jaaskelainen et al: the abstract, Figures 2C-E, column 2 lines 27-68, and columns 5-6. Note the 'hatching technique' whereby portions of the primary display are disintegrated to expose underlying windows. It would have

been obvious to use this in Blonstein et al because it would be a convenient way to remove portions of the primary display to expose underlying windows.

10. Note that in view of the Terminal Disclaimer, the double patenting rejection has been removed.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P. Sax whose telephone number is (571) 272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



STEVEN SAX
PATENT EXAMINER